

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re)
) Case No. 15-35618-PCM13
MATTHEW E CARSON)
) TRUSTEE MOTION TO DISMISS
) FOR FAILURE TO PROVIDE REQUIRED
) TAX RETURNS
) **WITH NOTICE**
Debtor(s).)

Wayne Godare, Standing Chapter 13 Trustee represents that the debtor(s) are in violation of ¶3 of the Order Confirming Plan and Resolving Motions entered in this case. The Trustee has previously requested from the debtor(s) copies of the **2016** tax returns which are due to be provided to the Trustee. As of the date of this Motion, the Trustee has received no satisfactory response to the request. This lack of satisfactory response is a failure to cooperate as required by 11 U.S.C. §521(a)(3) and is cause for dismissal pursuant to 11 U.S.C. §1307(c).

Accordingly, the Trustee moves this Court for an Order dismissing this case without further notice or hearing for unreasonable delay that is prejudicial to creditors pursuant to 11 U.S.C. 1307(c)(1) and/or material default under the terms of the plan pursuant to 11 U.S.C. 1307(c)(6), unless the debtor(s) within 28 days of the service date of this Motion with Notice, does one of the following to correct the default:

1. Files a written request for a hearing using *LBF 1366* and provides to the Court and Trustee, a specific objection including grounds for denial of the Motion.
2. Files the requested tax returns with the appropriate taxing authorities (if necessary) and provides copies of the returns to the Trustee.

I certify that on November 1, 2017, I served copies of the above Motion on the debtor(s) via first class mail and on any debtor attorney electronically via ECF.

Dated: November 1, 2017

/s/ Wayne Godare
Chapter 13 Trustee

NOTICE IS GIVEN THAT unless the debtor(s) provides the tax returns listed above within 28 days of the service date of this Motion with Notice, the Trustee will file a Statement of Failure to Comply requesting that the Court enter an Order dismissing this case without further notice.